

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
DAVID DELVA, :  
: Movant, : 12-CR-802-4 (JMF)  
: : 19-CV-3623 (JMF)  
-v- :  
UNITED STATES OF AMERICA, :  
: Respondent. :  
: ----- X

JESSE M. FURMAN, United States District Judge:

David Delva's motion to correct the record pursuant to Rule 36 of the Federal Rules of Criminal Procedure is DENIED as frivolous. *See, e.g., United States v. Burd*, 86 F.3d 285, 288 (2d Cir. 1996) ("[A] clerical error must not be one of judgment or even of misidentification, but merely of recitation, of the sort that a clerk or amanuensis might commit, mechanical in nature." (internal quotation marks omitted)).

The Clerk of Court is directed to enter this Order on both Docket Nos. 12-CR-802-4 and 19-CV-3623, to terminate 12-CR-802-4, ECF No. 314, and to mail a copy of this Order to Mr. Delva.

SO ORDERED.

Dated: November 12, 2020  
New York, New York

  
\_\_\_\_\_  
JESSE M. FURMAN  
United States District Judge